

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

TISHA DICKSON,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:04cv1050-T
)	(WO)
LABCORP,)	
)	
Defendant.)	

ORDER

It is ORDERED that defendant Labcorp's motion to strike (Doc. No. 17) is denied under the conditions set forth below.

In resolving the pending summary-judgment motion, the court has implicitly considered the motion to strike as a notice of objections to the testimony described. See Norman v. Southern Guar. Ins. Co., 191 F.Supp.2d 1321, 1328 (M.D. Ala. 2002); Anderson v. Radisson Hotel Corp., 834 F.Supp. 1364, 1368 n.1 (S.D. Ga. 1993). The court is capable of sifting evidence, as required by the summary-judgment standard, without resort to an

exclusionary process, and the court will not allow the summary-judgment stage to degenerate into a battle of motions to strike.

DONE, this the 18th day of October, 2005.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE